

# DAILY DIGEST

Vol. 19, No. 40

March 2,2000

\*\*Before an entry denotes that the item is part of the FCC's implementation of the 1996 Telecom Act. While we will attempt to flag all Telecom Act-related items, this marking is unofficial and informational only.

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## NEWS RELEASES

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FCC IMPOSES \$1 MILLION FORFEITURE AGAINST BCI FOR SLAMMING CONSUMERS THROUGH THE USE OF FORGED AUTHORIZATION FORMS. The FCC released an order imposing \$1 million forfeiture on Brittan Communications International, Inc., for violation of the FCC's rules against slamming. By Order of Forfeiture. Action by: the Commission. Adopted: February 28, 2000. (FCC No. 00-71) News Media Contact: Rosemary Kimball (202) 418-0500. ENF Contact: John Winston at (202) 418-7450 or Cynthia Bryant at (202) 418-8164. Internet URL: [https://www.fcc.gov/Bureaus/Enforcement/News\\_Releases/2000/bci.html](https://www.fcc.gov/Bureaus/Enforcement/News_Releases/2000/bci.html)

FCC IMPOSES FORFEITURE FOR VIOLATION OF THE TELEPHONE CONSUMER PROTECTION ACT. The FCC assessed an \$85,000 forfeiture against Get-Aways, Inc. for sending unsolicited advertisements to telephone facsimile machines in violation of Section 227 of the Communications Act -- the Telephone Consumer Protection Act - and the Commission's parallel telemarketing rules. The forfeiture addresses 19 unsolicited fax advertisements promoting vacation packages that Get-Aways sent to eight consumers By Forfeiture Order. Action by: the Commission. (FCC No. 00-67) News Media Contact: Rosemary Kimball (202) 418-0500. ENF Contact: John Winston at (202) 418-7450, Mary Romano at (202) 418-0975, Consumer Information Bureau: Stacey Mesa at (202) 418-2513. Internet URL: [https://www.fcc.gov/Bureaus/Enforcement/News\\_Releases/2000/getaway2.html](https://www.fcc.gov/Bureaus/Enforcement/News_Releases/2000/getaway2.html)

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## PUBLIC NOTICES

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Released: March 2, 2000. TARIFF TRANSMITTAL PUBLIC REFERENCE LOG.Public Reference Log: 02/28/00. Contact: Public Reference Room: (202) 418-0270. Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Public\\_Notices/Tariffs/combined/tt022800.pdf](https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/Tariffs/combined/tt022800.pdf)

Released: March 2, 2000. TARIFF TRANSMITTAL PUBLIC REFERENCE LOG.This log includes tariff filings for 2/29/2000, and 3/1/2000. Contact: Public Reference Room: (202) 418-0270. Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Public\\_Notices/Tariffs/combined/tt030100.pdf](https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/Tariffs/combined/tt030100.pdf)

Released: March 2, 2000. NETMOVES CORPORATION SEEKS FCC CONSENT FOR TRANSFER OF CONTROL TO MAIL.COM PLEADING CYCLE ESTABLISHED.Comments or Petitions to Deny Due: April 2, 2000, Oppositions Due: April 12, 2000, Replies: April 19, 2000. (DA No. 00-484). Contact: Policy and Program Planning Division: Michelle Carey at (202) 418-1557, International Bureau, Telecommunications Division: (202) 418-0866.

Released: March 2, 2000. COMMENTS INVITED ON GTE COMMUNICATIONS CORPORATION TO DISCONTINUE PROVISION OF DATA SERVICES NSD FILE NO. W-P-D-454. SECTION 214 APPLICATION APPLICANT: GTE COMMUNICATIONS CORPORATION - Comments: March 24, 2000. Contact: Network Services Division: Al McCloud at (202) 418-2499, email: mmcccloud@fcc.gov or Marty Schwimmer at (202) 418-2320, email: mschwimm@fcc.gov, TTY: (202) 418-0484. Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Public\\_Notices/2000/pncc0012.doc](https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/2000/pncc0012.doc)

Report No: 3720. Released: March 2, 2000. CABLE SERVICES BUREAU ACTIONS.(erroneously listed on March 1 Digest).

Report No: TEL-00194. Released: March 2, 2000. INTERNATIONAL AUTHORIZATIONS GRANTED. (DA No. 00-483). Contact: Telecommunications Division, Policy & Facilities Branch: (202) 418-1460. Internet URL: [https://www.fcc.gov/Bureaus/International/Public\\_Notices/2000/da000483.pdf](https://www.fcc.gov/Bureaus/International/Public_Notices/2000/da000483.pdf)

Report No: 44682. Released: March 2, 2000. BROADCAST ACTIONS. Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/Brdcst\\_Actions/ac000302.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Actions/ac000302.txt)

Report No: 24682. Released: March 2, 2000. BROADCAST APPLICATIONS. Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/Brdcst\\_Applications/ap000302.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Applications/ap000302.txt)

Released: March 2, 2000. EX PARTE PRESENTATIONS AND POST-REPLY COMMENT PERIOD FILINGS IN PERMIT-BUT-DISCLOSE PROCEEDINGS. Contact: Office of the Secretary: Barbara Lowe at (202) 418-0310. Internet URL: [https://www.fcc.gov/Bureaus/Miscellaneous/Public\\_Notices/Exparte/2000/ex000302.html](https://www.fcc.gov/Bureaus/Miscellaneous/Public_Notices/Exparte/2000/ex000302.html)

Released: March 2, 2000. SUPPLEMENT TO ATTACHMENT B - AUCTION OF LICENSES FOR FIXED POINT-TO-POINT MICROWAVE SERVICES IN THE 38.6 TO 40.0 GHZ (39 GHZ) BAND -.Auction Notice and Filing Requirements for 2,450 Licenses in the 39 GHZ Band; Auction Scheduled for April 12, 2000; Minimum Opening Bids and Other Procedural Issues. (DA No. 00-478). Internet URL: [https://www.fcc.gov/Bureaus/Wireless/Public\\_Notices/2000/da000478.doc](https://www.fcc.gov/Bureaus/Wireless/Public_Notices/2000/da000478.doc)

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## TEXTS

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ILLINOIS COMMERCE COMMISSION. Allowed the Illinois Commission to delay implementation of 10-digit dialing in certain areas. Dkt No.: CC-96-98. Action by Chief, Common Carrier Bureau. Adopted: March 1, 2000. by Order. (DA No. 00-477). CCB Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Orders/2000/da000477.doc](https://www.fcc.gov/Bureaus/Common_Carrier/Orders/2000/da000477.doc)

WISCONSIN PUBLIC SERVICE COMMISSION. Directed the four largest incumbent local exchange carriers (LECs) in Wisconsin to submit to the FCC copies of the currently effective tariffs for intrastate payphone service offerings that have not been determined by the Wisconsin Public Service Commission to comply with section 276 of the Communications Act of 1934, as amended and the Commission's rules. Action by Deputy Chief, Common Carrier Bureau. Adopted: March 1, 2000. by Order. (DA No. 00-347). CCB Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Orders/2000/da000347.doc](https://www.fcc.gov/Bureaus/Common_Carrier/Orders/2000/da000347.doc)

BELLSOUTH TELECOMMUNICATIONS, INC. Granted request of BellSouth for LATA modification for the limited purpose of providing two-way, flat-rated, non-optional ELCs between points in the specific exchanges or geographic areas indicated in the request. Action by Chief, Network Services Division, Common Carrier Bureau. Adopted: March 1, 2000. by MO&O. (DA No. 00-479). CCB Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Orders/2000/da000479.doc](https://www.fcc.gov/Bureaus/Common_Carrier/Orders/2000/da000479.doc)

CABLE VIDEO ENTERPRISES, INC. Corrected - Order, DA 00-118, released on January 25, 2000 is corrected to read DA 00-119. Action by Deputy Chief, Cable Services Bureau. by Erratum. CSB Internet URL:

<https://www.fcc.gov/Bureaus/Cable/Orders/2000/er000118.doc>

IN THE MATTER OF TELECOMMUNICATIONS ASSOCIATION OF MARYLAND, DELAWARE & DISTRICT OF COLUMBIA, ET AL. V. BALTIMORE GAS & ELECTRIC COMPANY AND BELL ATLANTIC-MARYLAND, INC., PA 2000-001. Denied Baltimore Gas & Electric ("BG&E") Company's Request for Extension of time in which to file its response to a pole attachment complaint filed against BG&E and Bell Atlantic-Maryland, Inc. Action by Deputy Chief, Cable Services Bureau. Adopted: March 1, 2000. by Order. (DA No. 00-482). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/2000/da000482.doc>

GET-AWAYS, INC. Ordered to forfeit \$85,000 for sending unsolicited ads to facsimile machines. Action by the Commission. Adopted: February 25, 2000. by Forfeiture Order. (FCC No. 00-67). ENF Internet URL: <https://www.fcc.gov/Bureaus/Enforcement/Orders/2000/fcc00067.doc>

BRITTAN COMMUNICATIONS INTERNATIONAL CORPORATION. Assessed a forfeiture of \$1 million against Brittan Communications International Corporation for its willful or repeated violation of section 258 of the Communications Act and the Commission's rules and orders by changing the preferred interexchange carriers of sixteen consumers without their authorization (a practice commonly referred to as slamming). Action by the Commission. Adopted: February 28, 2000. by Order of Forfeiture. (FCC No. 00-71). ENF Internet URL: <https://www.fcc.gov/Bureaus/Enforcement/Orders/2000/fcc00071.doc>

KITCHEN PRODUCTIONS, INC. D/B/A TORTOISE PAGING, V. DESERT MOBILFONE. Granted Kitchen Productions' request to dismiss its complaint with prejudice. Action by Chief, Market Disputes Resolution Division, Enforcement Bureau. Adopted: March 1, 2000. by Order. (DA No. 00-480). ENF Internet URL: <https://www.fcc.gov/Bureaus/Enforcement/Orders/2000/da000480.doc>

CYNTHIA KAUFMAN. Erratum to MO&O (DA 00-356) released February 25, 2000, amended caption for the "adopted date" and for the "released date," the year, "1999", should be changed to the current year, "2000," Consequently, the line should read: Adopted: February 24, 2000 Released February 25, 2000. Action by Commercial Wireless Division, Wireless Telecommunications Bureau. Adopted: March 1, 2000. by Erratum. WTB

GREGORY K. HURST. Erratum Correcting Memorandum Opinion and Order, DA 00-354, released February 25, 2000 as follows: In the caption for the "adopted date" and for the "released date," the year, "1999," should be changed to the current year, "2000." Consequently, the line should read: "Adopted: February 24, 2000 Released February 25, 2000. Action by Deputy Chief, Commercial Wireless Division, Wireless Telecommunications Bureau. Adopted: March 1, 2000. by Erratum. WTB

HIGH PLAINS WIRELESS, L.P. Denied Mercury's Petition for Reconsideration of the grant of High Plains applications for authority to Construct and Operate Broadband PCS Systems on Frequency Blocks D and F By Memorandum Opinion and Order on Reconsideration. Action by Deputy Chief, Wireless Telecommunications Bureau. Adopted: February 29, 2000. by MO&O on Recon. (DA No. 00-474). WTB Internet URL: <https://www.fcc.gov/Bureaus/Wireless/Orders/2000/da000474.doc>

LANTY L. SMITH. Denied the Petition for Request for a Limited Waiver of Certain Provisions of Part 22 of the Commission's Rules for Cellular Unserved Areas. Action by Chief, Policy and Rules Branch, Commercial Wireless Division, Wireless Telecommunications Bureau. Adopted: February 29, 2000. by Order. (DA No. 00-469). WTB Internet URL: <https://www.fcc.gov/Bureaus/Wireless/Orders/2000/da000469.doc>

POPS CELLULAR PARTNERSHIP. Granted the Petition and accordingly dismissed POPS Cellular's application. Action by Chief, Policy and Rules Branch. Commercial Wireless Division, Wireless Telecommunications Bureau. Adopted: February 29, 2000. by Order. (DA No. 00-468). WTB Internet URL: <https://www.fcc.gov/Bureaus/Wireless/Orders/2000/da000468.doc>

RIG TELEPHONES, INC. D/B/A DATACOM. Granted the petitions for reconsideration of earlier order, and vacated the Order, and denied Datacom's request for waiver By Order on Reconsideration. Action by Chief,

Public Safety and Private Wireless Division, Wireless Telecommunications Bureau. Adopted: February 28, 2000. by Order on Recon. (DA No. 00-472). WTB Internet URL:

<https://www.fcc.gov/Bureaus/Wireless/Orders/2000/da000472.doc>

CLARKLIFT OF SAN JOSE, INC. AND MOORE MATERIAL HANDLING GROUP. Denied the petition for reconsideration of dismissal of name change application and the petition for declaratory ruling. By Order on Reconsideration. Action by Chief, Public Safety and Wireless Division, Wireless Telecommunications Bureau. by Order on Recon. (DA No. 00-473). WTB Internet URL:

<https://www.fcc.gov/Bureaus/Wireless/Orders/2000/da000473.doc>

SUPERCOM, INC. AND SUPERCOM LIMITED PARTNERSHIP OF NORTHERN VIRGINIA/SUPERCOM LIMITED PARTNERSHIP OF NORTHERN MICHIGAN AND SUPERIOR TECHNOLOGIES, INC. Reversed the decisions to grant these applications, and required that SuperCom and SCLP file an FCC Form 603 application, on or before March 15, 2000, requesting approval of the assignment to SCLP as a substantial change in ownership. Action by Chief, Policy and Rules Branch, Commercial Wireless Division, Wireless Telecommunications Bureau. Adopted: February 29, 2000. by MO&O. (DA No. 00-465). WTB Internet URL:

<https://www.fcc.gov/Bureaus/Wireless/Orders/2000/da000465.doc>

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